(2) (1)

of 102

IN THE HONOURABLE HIGH COURT OF CHHATTISGARH AT BILASPUR (C.G.).

Division Bench

MISC. APPEAL NO. 120 OF 2006

APPELLANT
CLAIMANT

Mohit Kumar Sahu, aged about 37 years, Son of Shri Ramnath Sahu, Resident of Pachripara, Kurud, Tahsil Kurud, District Dhamtari (C.G.).

VERSUS

RESPONDENTS

1. Bittu @ Parmeshwar, aged About 34 years, Son of Shri Bharatlal Dubey, Resident of Gariyaband, Tahsil Gariyaband, District Raipur (C.G.).

2. The Managing Director, M/s. Kanker Road Lines, Civil Line, Raipur (C.G.).

3. The National Insurance Company Limited, through the Divisional Manager, Mobin Mahal, G.E. Road, Raipur (C.G.).

P.R. No. 2296/06
Presented by Shri S.K. Sahu
Dated 23/2/06

MISCELLANEOUS APPEAL UNDER SECTION 173 OF THE MOTOR VEHICLE ACT, 1988

HIGH COURT OF CHHATTISGARH : BILASPUR
(LOK ADALAT)

MISCELLANEOUS APPEAL NO. 120 OF 2006

Appellant : Mohit Kumar Sahu

Versus

Respondents: Bittu & others

(Arising out of Claim Case No. 629/2004

03/02/2007

Shri P.P. Sahu, counsel for the appellant.

None for respondents No. 1 & 2.

Shri S Das, Dy. Manager, the National Insurance Company Limited with Shri Dashrath Gupta, counsel for respondent No.3.

In terms of compromise, award is passed as below:-

1) In addition to compensation already awarded by the Tribunal, respondent No.3 shall pay Rs.55,000/- (Rupees fifty-five thousand only) to the appellant.
2) For disbursement and deposit in FDR, the direction and ratio adopted by the Tribunal, if any, shall follow.
3) The amount, if any, kept in deposit with Bank shall be payable under the orders of Tribunal in accordance with law.
4) Appellant shall be entitled to receive interest on the amount so deposited, if any.
5) In view of the above, appeal against respondents No.1 & 2 stands dismissed.
6) Out of the above amount, Rs. 550/- (Rupees five hundred fifty only) shall be paid to counsel for the appellant directly by the Insurance Company towards counsel fee.
7) If the amount awarded is not deposited within a period of one month, the Insurance Company shall be liable to pay interest at the rate of 9% per annum thereafter.
8) Copy of the award shall be given to the parties free of cost.

Sd/-

Justice Vijay Kumar Shrivastava
High Court of Chhattisgarh
Bilaspur

Sd/-
Member – Lok Adalat
High Court of Chhattisgarh
Bilaspur

Raju